

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
CEDAR RAPIDS DIVISION

UNITED STATES OF AMERICA,	)	No. 16-CR-00095-LTS
	)	
Plaintiff,	)	<b>AMENDED INDICTMENT</b>
	)	
vs.	)	Counts 1-2
	)	18 U.S.C. § 1001(a)(2):
JEFFREY FILLOON,	)	False Statements
	)	
Defendant.	)	Counts 3-4:
	)	18 U.S.C. § 922(j):
	)	Possessing, Selling, and Disposing
	)	of a Stolen Firearm

The Grand Jury charges:

**Introduction**

1. At all times relevant to this Indictment:
  - a. Defendant JEFFREY FILLOON was employed by the City of Tama, Iowa, as Chief of Police for the Tama Police Department.
  - b. The Tama Police Department impounded motor vehicles for various reasons and, if the vehicles went unclaimed for a certain period of time, would deem the vehicles as abandoned and then sell the vehicles. Vehicles that were deemed as salvage worthy were sold to Sandhill Auto Salvage, a salvage yard in the Tama area. The funds from these sales were deposited into the City of Tama's general fund.
  - c. The Tama Police Department maintained possession, care, and custody of multiple firearms, including firearms that were held as evidence and firearms

that were owned by the Tama Police Department and used by Tama Police Officers as “duty firearms.”

d. From about July 29, 2013, and continuing through about March 18, 2015, defendant sold, for his own benefit, property, specifically firearms and motor vehicles, that was in the possession, care, and custody of the Tama Police Department. During this time, defendant stole and sold at least three guns and four motor vehicles that were in the possession, care, and custody of the Tama Police Department.

e. On approximately August 13, 2013, defendant took a 12-gauge Mossberg 500A Pump Action Shotgun, bearing serial number L501983, being held as evidence at the Tama Police Department, and sold the firearm to the General Store Pawn and Gun Shop in Marshalltown, Iowa. Defendant received \$200 from the General Store Pawn and Gun Shop in exchange for the firearm and another firearm.

f. On approximately August 19, 2013, defendant took a Heckler & Koch USP Tactical .45 Caliber pistol, bearing serial number 25-075683, that was formerly the duty weapon of a Tama Police Officer who had retired and surrendered it to the possession, care, and custody of the Tama Police Department on July 27, 2012. After taking the firearm, defendant sold it to the General Store Pawn and Gun Shop in Marshalltown, Iowa, for \$450.

g. On approximately March 6, 2014, defendant took an antique Black Powder .44 caliber revolver, bearing serial number 376763, that was being held as

evidence at the Tama Police Department and was in the possession, care, and custody of the Tama Police Department and sold the gun to the General Store Pawn and Gun Shop in Marshalltown, Iowa for \$75.

h. On approximately March 5, 2015, defendant sold three motor vehicles that were impounded at the Tama Police Department impound lot to Sandhill Auto Salvage. The three motor vehicles consisted of a 1997 Pontiac Grand Prix, a 1994 Ford Econoline E150, and a 1994 Ford Explorer. Defendant sold the three motor vehicles to Sandhill Auto Salvage for \$650. During the sale, defendant told the employee of Sandhill Auto Salvage to write the check for \$650 to defendant personally, rather than to the City of Tama as Sandhill Auto Salvage had previously done for motor vehicles the company purchased from the City of Tama.

i. On approximately March 18, 2015, defendant had another motor vehicle, specifically a 1996 Chevrolet Silverado C1500 truck, that had been impounded at the Tama Police Department impound lot towed to Sandhill Auto Salvage. Defendant sold the motor vehicle to Sandhill Auto Salvage for \$250. During the sale, defendant falsely told the employee of Sandhill Auto Salvage to write the check for \$250 to defendant personally, because this motor vehicle was defendant's personal vehicle.

### **Count 1**

#### **False Statements**

2. On or about May 13, 2016, in the Northern District of Iowa, defendant JEFFREY FILLOON, did willfully and knowingly make materially false, fictitious, and fraudulent statements and representations in a matter within the jurisdiction

of the executive branch of the Government of the United States, specifically to a Special Agent of the Federal Bureau of Investigation, by stating and representing that he had received permission from either A.B.C. or E.Y. to keep a 12-gauge Mossberg 500A Pump Action Shotgun, bearing serial number L501983, that was in evidence at the Tama Police Department that had previously belonged to M.Y., who was related to A.B.C. and E.Y., rather than returning the firearm to M.Y.'s family. The statements and representations were false because, as defendant then and there knew, neither A.B.C. or E.Y. had given him such permission.

3. This was in violation of Title 18, United States Code, Section 1001(a)(2).

### **Count 2**

#### **False Statements**

4. On or about May 13, 2016, in the Northern District of Iowa, defendant JEFFREY FILLOON, did willfully and knowingly make materially false, fictitious, and fraudulent statements and representations in a matter within the jurisdiction of the executive branch of the Government of the United States, specifically to a Special Agent of the Federal Bureau of Investigation, by stating and representing that he had purchased a 1996 Chevrolet C1500 truck from C.R. and then sold that truck to Sandhill Auto Salvage on about March 18, 2015, because he personally owned it. The statements and representations were false. As defendant then and there knew, he had not purchased the 1996 Chevrolet Silverado C1500 truck from

C.R. but, in fact, the truck had been in the possession of the Tama Police Department prior to defendant selling the truck to Sandhill Auto Salvage.

5. This was in violation of Title 18, United States Code, Section 1001(a)(2).

### **Count 3**

#### **Possessing, Selling, and Disposing of a Stolen Firearm**

6. On or about July 29, 2013, in the Northern District of Iowa, defendant JEFFREY FILLOON, knowingly possessed, sold, and disposed of a stolen firearm, that is, a 12-gauge Mossberg 500A Pump Action Shotgun, bearing serial number L501983, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the firearm was stolen.

7. This was in violation of Title 18, United States Code, Sections 922(j) and 924(a)(2).

### **Count 4**

#### **Possessing, Selling, and Disposing of a Stolen Firearm**

8. On or about July 29, 2013, in the Northern District of Iowa, defendant JEFFREY FILLOON, knowingly possessed, sold, and disposed of a stolen firearm, that is, a Heckler & Koch USP Tactical .45 Caliber pistol, bearing serial number 25-075683, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the firearm was stolen.

9. This was in violation of Title 18, United States Code, Sections 922(j) and 924(a)(2).

A TRUE BILL

---

Grand Jury Foreperson                      Date

KEVIN W. TECHAU  
United States Attorney

By:

ANTHONY MORFITT  
Assistant United States Attorney